

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Endowments Department – Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired) – Initiation of Disciplinary proceedings under rule 20 of A.P.C.S.(CC&A) Rules, 1991 – Articles of Charges – Issued.

REVENUE (VIG.IV) DEPARTMENT

G.O. Rt. No. 713 .

Dated the 12th of May, 2010.

Read:-

G.O.Ms.No.426, Revenue (Vig.IV) Deptt., Dt.12.05.2010.

O R D E R:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub clause (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired), vide G.O.Ms.No.426, Revenue (Vig.IV) Department, dated 12.05.2010, it is proposed to hold an enquiry against Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired), in accordance with the procedure laid down under rule 20 of A.P.C.S.(CC&A) Rules, 1991.

2. The substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charge (Annexure-I). A statement of imputations of misconduct/misbehaviour (Annexure-II). A list of documents by which and a list of witnesses (Annexure-III & IV) by whom the proposed Articles of Charge are sustained.

3. Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired), is directed to submit his written statement of Defence within 15 days from the date of receipt of this order.

4. Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired), is informed that an enquiry will be held only in respect of those Articles of Charge which are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired), is also informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above, further action will be processed based on material available on record exparte.

6. Attention of Sri S. Kondal Rao, formerly Regional Joint Commissioner, Multi Zone-I, Endowments Department, Kakinada, East Godavari District (now retired), is invited to rule 24 of A.P.C.S (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is

(p.t.o.)

::2::

aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of A.P.C.S.(Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.V. RAMANA CHARY

PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri S. Kondal Rao, formerly Joint Commissioner & Executive Officer, Sri Veera Venkata Satyanarayana Swamy Devasthanam, Annavaram, East Godavari District (now retired) (Through the Commissioner, Endowments Department, A.P., Hyderabad).

Copy to:

The Commissioner, Endowments Department, A.P., Hyderabad.

The P.S. to M(Endts.).

The P.S. to Prl.Secy.(Endts.).

The File.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I
THE STATEMENT OF ARTICLE OF CHARGES AGAINST SRI S.KONDAL
RAO, JOINT COMMISSIONER (RETD.) AND FORMER REGIONAL JOINT
COMMISSIONER (M.Z.I), ENDOWMENTS DEPARTMENT, KAKINADA,
EAST GODAVARI DISTRICT.

That Sri S.Kondala Rao while working as Regional Joint Commissioner (M.Z.I) from 06.09.2007 to 04.01.2009 and also held the said post as full additional charge from 05.01.2009 to 03.03.2009, has committed certain grave anomalies and irregularities in the administration of the Religious and Charitable Institutions such as:-

1. That he has abused the official power in discharging his duties and acted quite contrary to the guide lines issued by the higher authorities from time to time and issued the following transfer orders, during the ban period:

- a) That he has issued orders transferring Sri T.Srinivas and Sri B.V.S.Narayana Raju, Junior Assistants belonging to Group Temples, Thadikallapudi, W.G.District and Sri Kasi Visweswara Swamy Temple respectively to Sri Maddi Anjaneya Swamy Temple, Guruvaigudem vide D.Dis.No.A2/6576/2008, dt.21.10.2008 and violated the ban orders on transfers.
- b) That he has transferred Sri G.Satyanarayana, Record Assistant of Sri Veereswara Swamy Temple, Pattiseema (V), Pollavarama (M), West Godavari District to Sri Bheemeswara Swamy Temple, Draksharamam, Ramachandrapuram (M), East Godavari District on working arrangements through D.Dis.No.A2/7152/2007, dated 12.12.2007 which is irregular as Record Assistants and Junior Assistant are to be accommodated only with in the District.
- c) That he has transferred Sri Ch. V.Satyanarayana, Junior Assistant of Sri Kota Sатtemma Ammavari Devasthanam, thimmarajupalem, Nidadavolu (M), West Godavari District vice Sri J.Soma Raju, Junior Assistant of Sri Abhaya Anjaneya Swamy Temple, Appanveedu through proceedings in Rc.No.A2/5882/2007, dated 04.10.2007. Subsequently, Sri Ch.V.Satyanarayana, Junior Assistant was deputed to the establishment of Sri Ksheera Ramalingeswara Swamy Temple, Palakollu, West Godavari District through Rc.No.A2/6500/2008, dt.16.12.2008.
- d) That he has transferred Sri L.Lokanadha Srinivasa Rao, Junior Assistant from Sri Uma Vasuki Ravi Someshwara Swamy Temple, Juttiga, West Godavari District to the establishment of Sri Maddi Anjaneya Swamy Temple, Guruvaigudem, W.G.District through proceeding in Rc.No.A2/6074/2007, dt.24.10.2007 in the existing vacancy without observance of ban orders of the Government.

2) That he has failed to follow the Rules and Regulations under the endowments Act 30 of 1987 in promoting / extension of PRC, to the following employees of Religious and Charitable Institutions, violating the A.P.Charitable and Hindu Religious Institutions and the Endowments Office Holders and Servants Service Rules, 2000 framed under Section 35 of the Endowments Act vide G.O.Ms.No.888, Revenue (Endowments-I) Department, dt.08.12.2000.

- a) That he has promoted Sri G. Rama Chandra Raju, Junior Assistant to the cadre of Senior Assistant, Sri Maddi Anjaneya Swamy Temple, Guruvaigudem, West Godavari District, vide proceedings in D.Dis.No.A2/686/2008, dt.01.02.2008 without observing qualifications approved cadre strength and non-observance of limitation of 30% on establishment charges under Section 57(2)(a) of the Act.

(p.t.o.)

::2::

- b) That he has permitted the Executive Officer of Sri Maddi Anjaneya Swamy Temple, Guruvaigudem, West Godavari District to promote Sri L.Lokanadha Srinivasa Rao, newly transferred Junior Assistant to the cadre of Senior Assistant through his proceedings No.A2/6579/2008, dt.21.10.2008 with malafide intention and violated the guidelines of the authorities which is not his parent institution thus violated the office holders and servants Service Rules, 2002.
- c) That he has permitted the Executive Officer, Sri Bheemeswara Swamy Temple, Draksharamam through Proceedings in D.Dis.No.A1/3571/2008, dt.10.06.2008 to extend 2005-PRC to (3) Attenders and Night-Watchman without observing the Statutory limitation of 30% on establishment charges under Section 57(2)(a) of the Act, 1987.
- d) That he has ratified the proposals of the Manager, Sri Kumara Rama Bheemeswara Temple, Samarlakota, East Godavari District to extend the benefit of 2005-PRC to the watchman through proceedings in D.Dis.No.A1/58/2009, without approval from the competent authority and without observing the statutory limit of 30% on Establishment charges under section 57(2) of the Act.
- e) That he has Ratified the action of the Executive Officer of Sri Kota Sattemma Vari Temple, West Godavari District in implementing PRC-2005 to Barber, Sri L.Narayana Rao through D.Dis.No.A2/5651/2008, dt.05.09.2008, which is irregular and against the instructions of the Commissioner of Endowments, since the barbers are entitled for share on the rusums.
- f) Extended PRC-2005 to Sri Ramakrishna Paramahansa, Junior Assistant of Sri Pyda Venkanna Rama Krishnaiah Satram, Draksharamam vide proceedings in D.Dis. No.A1/5788/2007, dt.29.09.2007 without approval from the competent authority and violated the instructions of the higher authorities and limitation under section 57(2)(a) of the Act.
- g) That he has extended the Scale of pay to the contract employee, Sri P.Satti Raju working in the establishment of Sri Pyda Venkanna Rama Krishnaiah Choultry, Draksharamam duly extending 1999-PRC from 01.04.2009 in violation of ban orders of the Government on regularization of services and extension of P.R.C. under G.O.Ms.No.1997, dt.18.10.2005.
- h) That he has permitted the Executive Officer, Sri Venkateswara Swamy Temple, Amalapuram for enhancement of salary emoluments of Rs.3,000/- to Rs.5,500/- per month to Sri K.Sai Krishna Electrician through D.Dis.No.A1/421/2008, Dt.23.01.2008 without approval orders from the competent authorities.
- i) That he has ordered for enhancement of salary emoluments of Rs.3,500/- to Rs.4,500/- per month to Smt. P. Dhana Lakshmi, Record Assistant of Sri Abhaya Anjaneya Swamy Temple, Appanveedu village, Peddapadu, West Godavari District through D.Dis.No.A2/883/2008, dt.19.02.2008 without approval orders from the competent authorities.
- j) That he has permitted the Manager Sri Abhaya Anjaneya Swamy Temple, Peddapadu, West Godavari District through D.Dis.No.A2/6055/2007-15, dt.15.10.2007 for enhancement of salary from 2,200/- to Rs.3,000/- to Sri K.Sambasiva Rao, Attender without seeking approval from the competent authority and without observance of statutory limit of 30% on Establishment charges under section 57(2)(a) of the Act.

Contd....3.

- k) That he has permitted to engage the services of one Attender on Contract basis on payment of Rs.3000/- per month as against the existing vacancy in the establishment of Sri Kota Sattemma Ammavari Temple, Thimmarajupalem (V), Nidadavolu (M), West Godavari District through proceedings in D.Dis.No.A2/6636/2008, dated 30.10.2008 without approval from the competent authorities.
- l) That he has permitted the Executive Officer, Sri Vasavi Kanyaka Parameswari Ammavari Temple, Penugonda, West Godavari District to appoint Sri Ch. Srinivasu as Record Assistant on contract basis on payment of remuneration of Rs.3,000/- per month for a period of (11) months through his D.Dis.No.A2/5965/2008, dt.12.11.2008, when there is ban on recruitment and without approval of the Commissioner, Endowments.
- m) That he has sanctioned one post of Night Watchman in the cadre strength of Sri Vadrevu Vari Choultry, Rajahmundry and appointed one Night-Watchman on regular basis despite ban in force on appointments and violated the orders in G.O.Ms.No.1997, Dt.18.10.2005.
- n) That he has upgraded the post of Junior Assistant to the cadre of Senior Assistant in the establishment of Sri R.V.B.S.Choultry, Kathipudi, East Godavari District and promoting one Sri P.Vijaya Saradhi, Junior Assistant through proceedings in D.Dis.No.A1/1500/08, dt.15.03.2008, which is irregular and violated the Rules framed under Section 35 of the Endowments Act.
- o) That he has permitted the Executive Officer, Group Temples, Mamiduru, Penumanra, West Godavari District to upgrade the post of Record Assistant to the cadre of Junior Assistant and accommodated Sri Ch.V.R.Gopalam, Record Assistant through proceedings in D.Dis.No.A2/571/2009, dt.14.02.2009 which is very irregular and violating the rules framed under section 35 of the Act vide G.O.Ms.No.888, dt.08.12.2000.
- p) That he has promoted Sri B.Govinda Raju, Record Assistant to the cadre of Junior Assistant of Sri Kota Sattemma Ammavari Temple, Nidadavolu, which is not parent institution of the individual and extending time scale with all usual allowances with effect from 08.06.2008 vide proceedings in D.Dis.No.A2/35144/2008, Dt.02.06.2008 in violation of provisions enunciated in G.O.Ms.No.888, Revenue (Endowments. I) Department, dt.08.12.2000.
- q) That he has ordered for conditional promotion of Sri P.Lakshman Rao, Record Assistant to the cadre of Junior Assistant in the establishment of Sri Dasanjaneya Swamy Temple, Machavaram vide D.Dis.No.A3/4981/2008, dt.25.08.2008 without there being a provision under section 35 of the Act vide G.O.Ms.No.888, dt.08.12.2000.
- r) That he, while sanctioning the post of Pradhana Archaka permitted the Executive Officer of Sri Kota Sattemma Ammavari Temple, Thimmarajupalem (V), Nidadavolu (M), West Godavari District to promote Sri S.V.K.Appa Rao, Upa-Pradhana Archaka to the newly created Pradhana Archaka post through his D.Dis.No.A1/5663/2008, dt.05.09.2008, without approval of the Commissioner of Endowments and without following the Rules framed under G.O.Ms.No.262, Revenue (Endts.I) Department, dated 20.05.2002.

::4::

Thus, he has failed to act in conformity with the provisions of the Endowments Act 30 of 1987 and thereby flouted the rules framed there under and acted to deface the administration of religious and charitable Institutions in the Division.

3. That he has failed to discharge his legitimate duties and functions entrusted to him.

4. That he has misused his official position and usurped the powers of higher authorities. Thereby, his actions goes to show mal-administration and failure to comply with or in following or adhering to the instructions issued by the higher authorities under the provisions of the Endowments Act, which amount to gross indiscipline and high-handed attitude.

K.V. RAMANA CHARY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

**

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGES AGAINST S.KONDALA RAO, JOINT COMMISSIONER (NOW RETIRED) AND FORMER REGIONAL JOINT COMMISSIONER, MULTIZONE-I, KAKINADA, EAST GODAVARI DISTRICT.

Sri S. Kondala Rao, S/o. Ramalingeswara Rao, now retired from service is native of Subhadrapuram (V) in Srikakulam District. His date of birth is 01.08.1951. He joined in the service as L.D.Clerk in the establishment of Sri Durga Malleswara Swamy Devasthanam, Vijayawada on 21.12.1970. He was appointed as Assistant Commissioner on 05.05.1997 in Endowments Department by transfer from temple service. He worked as Regional Joint Commissioner, Multizone-I, Kakinada, East Godavari District for the period from 06.09.2007 to 04.01.2009. He also held Full additional charge of the said post from 05.01.2009 to 03.03.2009. He retired from service on 31.07.2009 on attaining the age of superannuation.

That Sri S. Kondala Rao referred to a Charged Officer while functioning as Regional Joint Commissioner, Multizone-I, Kakinada, East Godavari District for the period from 06.09.2007 to 04.01.2009 and also on Full additional charge from 05.01.2009 to 03.03.2009 has committed certain grave irregularities in discharging his legitimate duties such as in (1) Appointment of Staff during he ban period (2) Regularization of Services of employees in deviation of the instructions issued by the Government enhancement of Salaries (3) extension of pay scales without out consent of the competent authority., His unilateral decisions in passing orders during his tenure as Regional Joint Commissioner are vulnerable and against the interest of the institutions falling under his jurisdiction.

Thus, the Charged Officer, by above mentioned acts, has exhibited lack of integrity, devotion to duty and acted in a manner which will place his official position under embarrassment and thereby contravened Rule 3 (1) and (2) & (3) of A.P.Civil Services (Conduct) Rules, 1964.

Thus, Sri S.Kondala Rao, Joint Commissioner (Retd.) is therefore made himself liable for disciplinary action.

K.V. RAMANA CHARY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

**

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES AGAINST SRI S.KONDALA RAO, JOINT COMMISSIONER (NOW RETIRED) AND FORMER REGIONAL JOINT COMMISSIONER, MULTIZONE-I, KAKINADA, EAST GODAVARI DISTRICT.

Report of Vigilance Officer in Rc.No.V1/55490/2009, dt.17.02.2010.

K.V. RAMANA CHARY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

**

ANNEXURE-IV

LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGES AGAINST SRI S.KONDALA RAO, JOINT COMMISSIONER (NOW RETIRED) AND FORMER REGIONAL JOINT COMMISSIONER, MULTIZONE-I, KAKINADA, EAST GODAVARI DISTRICT.

-NIL-

K.V. RAMANA CHARY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

**